

80-50-A 248 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Kenneth Praley, legal owner...of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3C.1 to permit a side street setback of 12 1/2' instead of the required 25'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) - In 1947 when I bought this property it was deeded and plotted as a building lot. I bought this lot for the sole purpose of having one of my children build their home on it. My son is now married with a family and they want to build on this lot. Without my giving this lot to them, it would be a hardship for them to buy a home at today's prices. We have chosen a house that would be both affordable for them and an improvement to the community. We now find that the way the laws have changed that we could only put up a 15' wide house, which by all standards would be both impractical and ridiculous looking. I have been paying premium property taxes on this lot for 32 years with the intention of using it for my family to live on. I am applying for a 12 1/2' variance to be granted so that my son can build a home there and avoid any hardship on him and to avoid a practical difficulty for myself by paying taxes on a piece of property that could not otherwise be used. Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

DATE September 5, 1979
 ORDER RECEIVED FOR FILING
 Mr. Kenneth Praley, Legal Owner
 Address: 7116 Greenbank Road, Baltimore, Maryland 21220
 Petitioner's Attorney: John D. Seyffert
 Protestant's Attorney: John D. Seyffert

ORDERED By The Zoning Commissioner of Baltimore County, this 5TH day of June, 1979, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 28th day of August, 1979, at 10:00 o'clock A.M.

(over)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond
 TO: Zoning Commissioner
 John D. Seyffert
 FROM: Director of Planning and Zoning
 SUBJECT: Petition #80-50-A, Item 248

Petition for Variance for side street setback
 Northwest corner of Greenbank Road and Patuxent Road
 Petitioner - Kenneth Praley

15th District

HEARING: Tuesday, August 28, 1979 (10:00 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

John D. Seyffert
 John D. Seyffert
 Director of Planning and Zoning

JDS:JGH:rw

RE: PETITION FOR VARIANCE
 NW corner of Greenbank Rd.
 and Patuxent Rd., 15th District
 KENNETH PRALEY, Petitioner
 : BEFORE THE ZONING COMMISSIONER
 : OF BALTIMORE COUNTY
 : Case No. 80-50-A

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
 Peter Max Zimmerman
 Deputy People's Counsel

John W. Hession, III
 John W. Hession, III
 People's Counsel for Baltimore County
 County Office Building
 Towson, Maryland 21204
 494-2188

I HEREBY CERTIFY that on this 13th day of August, 1979, a copy of the foregoing Order was mailed to Kenneth Praley, 7116 Greenbank Road, Baltimore, Maryland 21220, Petitioner.

John W. Hession, III
 John W. Hession, III

VARIANCE PETITION Lot No. 85, Section 'B', Oliver Beach

Beginning at the corner formed by the intersection of the southwest side of Greenbank Road and the northwest side of Patuxent Road; as recorded in the Land Records of Baltimore County in Liber 14, Folio 37, Plat of Oliver Beach, part of Section B, Lot 85, in the 15th Election District.

September 5, 1979

Mr. Kenneth Praley
 7116 Greenbank Road
 Baltimore, Maryland 21220

RE: Petition for Variance
 NW corner of Greenbank and
 Patuxent Roads - 15th Election
 District
 Kenneth Praley - Petitioner
 NO. 80-50-A (Item No. 248)

Dear Mr. Praley:

I have this date passed my Order in the above referenced matter in accordance with the attached.

Very truly yours,

William E. Hammond
 WILLIAM E. HAMMOND
 Zoning Commissioner

WEH/srl

Attachments

cc: John W. Hession, III, Esquire
 People's Counsel

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Mr. Kenneth Praley
 7116 Greenbank Road
 Baltimore, Maryland 21220

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
 111 W. Chesapeake Avenue
 Towson, Maryland 21204

Your Petition has been received and accepted for filing this 5th day of June, 1979.

William E. Hammond
 WILLIAM E. HAMMOND
 Zoning Commissioner

Petitioner Kenneth Praley
 Petitioner's Attorney

Reviewed by Nicholas B. Commodari
 Nicholas B. Commodari
 Chairman, Zoning Plans
 Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

August 17, 1979

COUNTY OFFICE BLDG.
 111 W. Chesapeake Ave.
 Towson, Maryland 21204

000
 Nicholas B. Commodari
 Chairman

MEMBERS
 Bureau of Engineering
 Department of Traffic Engineering
 State Roads Commission
 Bureau of Fire Prevention
 Health Department
 Project Planning
 Building Department
 Board of Education
 Zoning Administration
 Industrial Development

Mr. Kenneth Praley
 7116 Greenbank Road
 Baltimore, Maryland 21220

RE: Item No. 248
 Petitioner - Kenneth Praley
 Variance Petition

Dear Mr. Praley:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Directory of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the Committee to this office. The remaining members felt that no comment was warranted. This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30 nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

Nicholas B. Commodari
 NICHOLAS B. COMMODARI
 Chairman
 Zoning Plans Advisory Committee

NBC:hk

Enclosures

JAN 10 1980

ORDER RECEIVED FOR FILING

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s), the Variance(s) should be had; and it further appears that the granting of the Variance requested will not adversely affect the health, safety, and general welfare of the community; and, therefore, the Variance should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 6th day of September, 1979, that the herein Petition for Variance to permit a side street setback of 12 1/2 feet in lieu of the required 25 feet should be and the same is GRANTED, from and after the date of this Order, subject to the approval of a site plan by the Department of Public Works and the Office of Planning and

Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of failure to show practical difficulty and/or unreasonable hardship, the Variance(s) should not be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for the Variance(s) to permit

Zoning Commissioner of Baltimore County

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204

THORNTON M. MOURING, P.E.
DIRECTOR

July 18, 1979

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #248 (1978-1979)
Property Owner: Kenneth Praley
N/W cor. Greenbank Rd. & Patuxent Rd.
Existing Zoning: DR 5.5
Proposed Zoning: Variance to permit a side setback of 12.5' in lieu of the required 25'.
Acres: 0.22 District: 15th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

Green Bank and Patuxent Roads, existing public roads, are proposed to be improved in the future as 30-foot closed section roadways on 50-foot rights-of-way.

Highway right-of-way widening, consisting of a fillet area for sight distance at the intersection and any necessary reversible easements for slopes, will be required in connection with any grading or building permit application.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drains:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

The property to be developed is located adjacent to the water front. The Petitioner is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on first floor levels and other special construction features are required.

Item #248 (1978-1979)
Property Owner: Kenneth Praley
Page 2
July 18, 1979

Water and Sanitary Sewer:

There are public 8-inch water mains in Green Bank Road and Patuxent Road; and there is 8-inch public sanitary sewerage in Green Bank Road.

Very truly yours,

Ellsworth N. Diver, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:ss

MM-SW Key Sheet
29 NE 50 Pos. Sheet
NE 8 M Topo
84 Tax Map

cc: J. Somers

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 494-3211

LESLIE H. GRAEF
DIRECTOR

August 16, 1979

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #248, Zoning Advisory Committee Meeting, June 5, 1979, are as follows:

Property Owner: Kenneth Praley
Location: NW/C Greenbank Road and Patuxent Road
Existing Zoning: D.R.5.5
Proposed Zoning: Variance to permit a side street setback of 12.5' in lieu of the required 25'.
Acres: 0.22
District: 15th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

John L. Wimbley
John L. Wimbley
Planner III
Current Planning and Development

Baltimore County
Department of Health
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.
COUNTY STATE AND COUNTY HEALTH OFFICER

August 20, 1979

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item # 248, Zoning Advisory Committee meeting of June 5, 1979, are as follows:

Property Owner: Kenneth Praley
Location: NW/C Greenbank Rd. & Patuxent Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side street setback of 12.5' in lieu of the required 25'
Acres: 0.22
District: 15

Metropolitan water and sewer are available, therefore no health hazards are anticipated.

Very truly yours,

Ian J. Forrest
Director
BUREAU OF ENVIRONMENTAL SERVICES

Baltimore County
Department of Traffic Engineering
TOWSON, MARYLAND 21204
(301) 494-3550

STEPHEN E. COLLINS
DIRECTOR

July 10, 1979

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. - ZAC - 248
Property Owner: - Kenneth Praley
Location: - NW/C Greenbank Rd. & Patuxent Rd.
Existing Zoning: - DR 5.5
Proposed Zoning: - Variance to permit a side street setback of 12.5' in lieu of the required 25'.
Acres: - 0.22
District: - 15th

Dear Mr. Hammond:

No traffic problems are anticipated by the requested variance to the side street setback.

Sincerely,

Michael S. Flanigan
Michael S. Flanigan
Engineering Associate II

MSF/ms

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: William E. Hammond
Office of Planning and Zoning
FROM: Lt. Thomas E. Kelly
Fire Prevention Bureau
SUBJECT: Zoning Advisory Committee Meeting of June 5, 1979
Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

Date: July 6, 1979

ITEM # 246 Property Owner: Peerce's Plantation, Inc.
Location: NE/S Dulany Valley Rd. opp. Loch Raven Dr.
No Comments
ITEM # 247 Property Owner: Paul E. Poropoulos
Location: SW/S Woodward Dr. & Beck St.
No Comments
ITEM # 248 Property Owner: Kenneth Praley
Location: NW/C Greenbank Rd. & Patuxent Rd.
No Comments

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Nick
Date: June 15, 1979
FROM: Ted Burnham
Zoning Advisory Committee Meeting
SUBJECT: of May 21, June 1 and June 1, 1979

MEETING May 29, 1979

ITEMS 241 See Comments
242 See Comments
243 Standard Comments - No objections
244 Standard Comment - No Objections

MEETING June 5, 1979

ITEM 245 See Comments
246 Parking variance - No comment.
247 See Comments
248 Standard Comment

MEETING June 19, 1979

ITEM 249 See Comments
250 See Comments
251 See Comments
252 See Comments
253 See Comments
254 Standard Comment
255 See Comments

Ted Burnham, Chief
Plans Review

TB:rrj

LJF/JRP:ph

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: June 1, 1979

Mr. S. Eric DiNenna
Zoning Commissioner
Baltimore County Office Building
Towson, Maryland 21204

Z.A.C. Meeting of: June 5, 1979

RE: Item No: 245, 246, 247, 248
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. DiNenna:

All of the above have no bearing on student population.

Very truly yours,

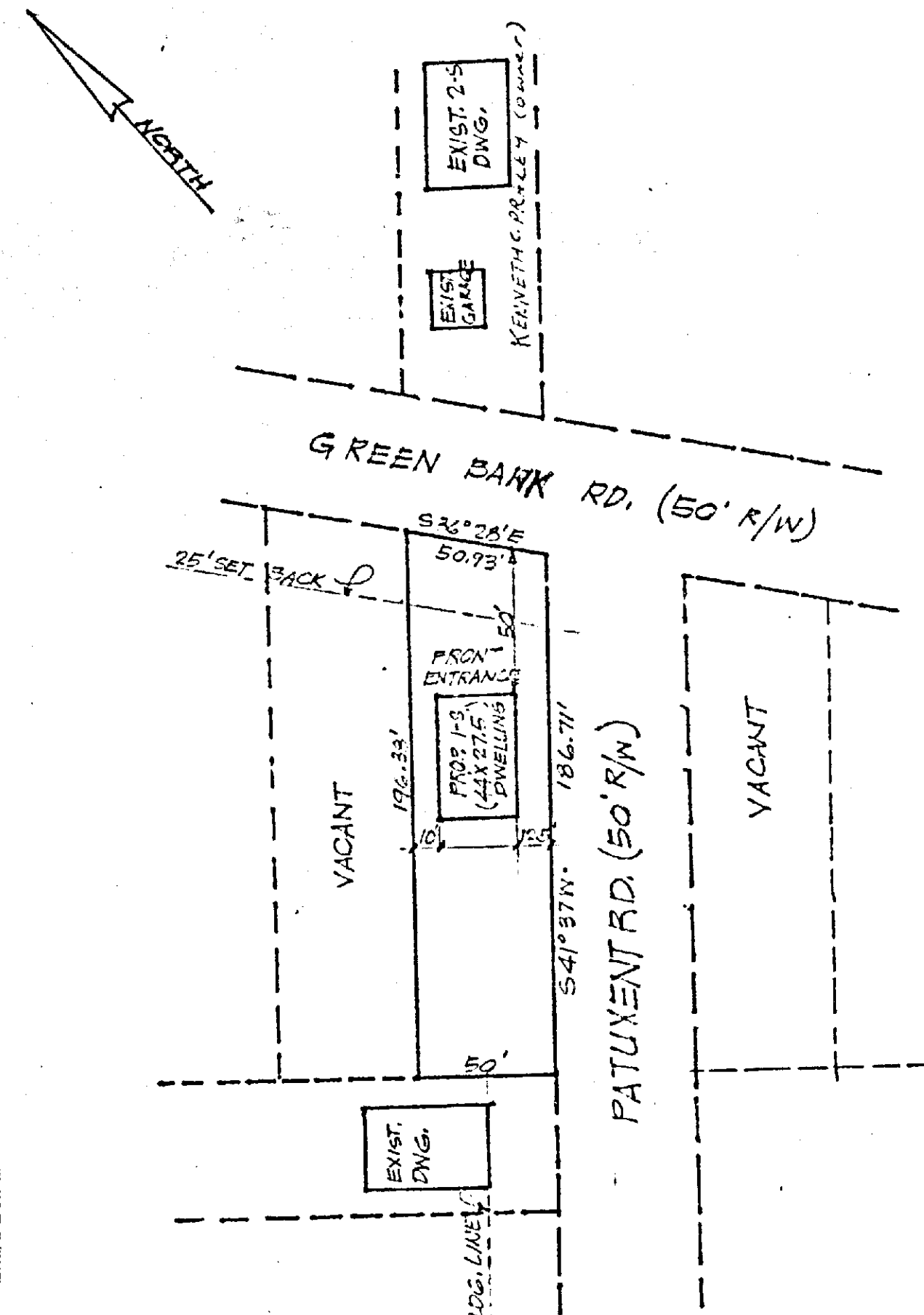
W. Nick Petrovich
W. Nick Petrovich,
Field Representative

WNP/bp

JOSEPH N. MCGOWAN, PRESIDENT
T. BAYARD WILLIAMS, JR., VICE-PRESIDENT
MARCUS M. ROTARIS

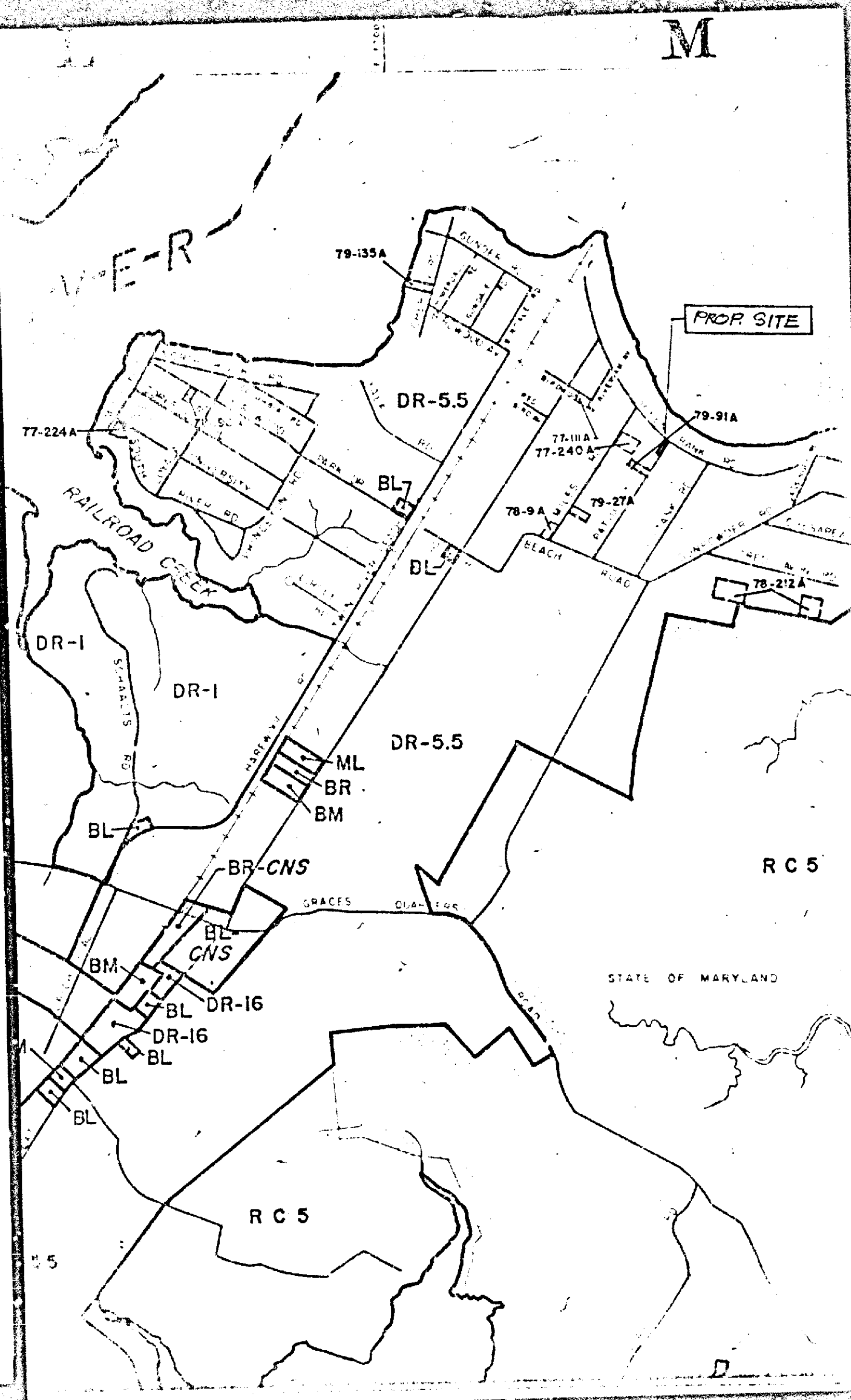
THOMAS H. BOYER
MRS. LORRAINE F. CHIRCUR
ROGER B. HAYDEN
ROBERT Y. DUBEL, SUPERINTENDENT

J. VIN LORECK
MRS. MILTON R. SMITH, JR.
RICHARD W. TRACEY, D.V.M.



MAP 50-71
ELECTRIC
DISTRICT
D. 16-4-79
TYPE
HEARD
BY
FINAL

PETITION for ZONING VARIANCE for
Kenneth Praley
15th DISTRICT - ZONE D.R. 5.5
OLIVER BEACH, LOT 85, SECT. B, BLOCK 14, ROW 37
Utilities Existing in Street
Scale: 1"=50'



CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 15 Date of Posting: 8/13/79
Posted for: Petition for Variance
Petitioner: Kenneth Praley
Location of property: NW 1/4 Greenbank Rd & Patuxent Rd
Location of Signs: facing Greenbank & Patuxent Rd
Remarks:
Posted by: Susan Coleman Date of return: 8/17/79
Signature: _____

1 sign

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 83071
DATE: July 31, 1979 ACCOUNT: #01-662
AMOUNT: \$25.00
RECEIVED FROM: Kenneth Praley
FOR: Filing fee for Case No. 80-50-4
372 TRANS 1 25.00
VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 83140
DATE: August 28, 1979 ACCOUNT: 01-662
AMOUNT: \$37.90
RECEIVED FROM: Kenneth Praley
FOR: Advertising and Posting for Case No. 80-50-4
408 TRANS 28 37.90
VALIDATION OR SIGNATURE OF CASHIER

PETITION FOR VARIANCE 15th DISTRICT

ZONING: Petition for Variance for side street setback.
LOCATION: Northwest corner of Greenbank Road and Patuxent Road.
DATE & TIME: Tuesday, August 28, 1979 at 10:00 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the petition for variance to permit a side street setback of 12 1/2 feet in lieu of the required 25 feet. The Zoning Regulation to be excepted as follows:
Section 1802.3C1 - side street setback.
All that parcel of land in the 15th District of Baltimore County, beginning at the corner formed by the intersection of the southwest side of Greenbank Road and the southeast side of Patuxent Road; Baltimore County in Liber 14, Folio 37, Plat of Oliver Beach, part of Section B, Lot 85, in the 15th Election District.
Being the property of Kenneth Praley, as shown on plat plan filed with the Zoning Department.
Hearing Date: Tuesday, August 28, 1979 at 10:00 A.M.
County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
By Order of:
WILLIAM E. HAMMOND,
Zoning Commissioner
of Baltimore County
Aug 8

CERTIFICATE OF PUBLICATION

TOWSON, MD., August 9, 1979.
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., ~~on the date of~~ at the time ~~on the date of~~ on the date of before the 28th day of August, 1979, the first publication appearing on the 9th day of August, 1979.

THE JEFFERSONIAN,
S. Frank Stricker
Manager.

Cost of Advertisement, \$ _____

PETITION FOR VARIANCE
FOR TRUCK
ZONING: Petition for Variance for side street setback.
LOCATION: Northwest corner of Greenbank Road and Patuxent Road.
DATE & TIME: Tuesday, August 18, 1979 at 10:00 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the petition for variance to permit a side street setback of 12 1/2 feet in lieu of the required 25 feet. The Zoning Regulation to be excepted as follows:
Section 1802.3C1 - side street setback.
All that parcel of land in the 15th District of Baltimore County, beginning at the corner formed by the intersection of the southwest side of Greenbank Road and the southeast side of Patuxent Road; Baltimore County in Liber 14, Folio 37, Plat of Oliver Beach, part of Section B, Lot 85, in the 15th Election District.
Being the property of Kenneth Praley, as shown on plat plan filed with the Zoning Department.
Hearing Date: Tuesday, August 28, 1979 at 10:00 A.M.
County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
By Order of:
WILLIAM E. HAMMOND,
Zoning Commissioner
of Baltimore County
Aug 9

OFFICE OF THE TIMES NEWSPAPERS

TOWSON, MD. 21204 August 9, 1979

THIS IS TO CERTIFY, that the annexed advertisement of PETITION FOR VARIANCE - Kenneth Praley was inserted in the following: L - 05044

- ☐ Catonsville Times ☐ Arbutus Times
☒ Essex Times ☐ Community Times
☐ Towson Times

weekly newspapers published in Baltimore, County, Maryland, once a week for one successive weeks before the 10 day of August, 1979, that is to say, the same was inserted in the issues of August 9, 1979.

STROMBERG PUBLICATIONS, INC.

By *Sandra Pannaluck*

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received * this 24th day of May 1979. Filing Fee \$ 25.00. Received ☒ Check ☐ Cash ☐ Other

S. Eric DiNenna
S. Eric DiNenna,
Zoning Commissioner

Petitioner *Kenneth Praley* Submitted by *Carol Praley*
Petitioner's Attorney _____ Reviewed by *Diane Miller*

* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

